REMARKS

Claims 1-10 and 20-31 are pending in the application.

Claims 1-6, 8-10, 20, 21, 23-27, 29 and 30 over Tadayuki

Claims 1-6, 8-10, 20, 21, 23-27, 29 and 30 were rejected under 35 U.S.C. §102(b) in the Office Action issued March 31, 2005 as allegedly being anticipated by Japanese Publication No. 10-070528 to Yasumoto Tadayuki et al. ("Tadayuki"). The Applicants respectfully traverse the rejection.

Claims 1-6, 8-10, 20, 21, 23-27, 29 and 30 recite a system and method of facsimile that rely on a far end password entered **AFTER** communications between a near end fax and a far-end fax have begun.

Tadayuki appears to disclose a system and method of sending a confidential communication after it is confirmed that a receiving side is in a reception enabled state (See Abstract). A user ID, a password, an electronic mail address and a provider type are registered to a user table for each user (See Tadayuki, Solution). A password that is registered beforehand is compared on a transmitting side to check that it is in agreement with a password that is registered beforehand (See Takayuki, paragraph 0007). A table T1 stores the user ID, the password, the email-address and provider classification for each user (See Takayuki, paragraph 0031).

The Examiner **ACKNOWLEDGES** that Tadayuki relies on a password that is **registered BEFOREHAND** in **both** a transmitting side and a receiving side, the Examiner stressing Tadayuki's paragraph 7 (See Office Action, page 3). Thus, the Examiner ACKNOWLEDGES that Tadayuki fails to disclose or suggest a system and method of facsimile that rely on a password that is entered **AFTER** communications have begun, i.e., a far end password **entered AFTER** communications between a near end fax and a far-end fax have begun, as recited by claims 1-6, 8-10, 20, 21, 23-27, 29 and 30.

A benefit of a system and method of facsimile that rely on a far end password entered **after** communications between a near end fax and a far-end fax have begun is, e.g., spontaneous transmission of a confidential facsimile. With the prior art, a user must set up a table to send a confidential facsimile at

both a near end facsimile machine and a far end facsimile machine **before** the near end facsimile machine and the far end facsimile machine are used for facsimile. The Applicants' claimed features allow a user to spontaneously approach and use a facsimile machine to send a confidential facsimile <u>without</u> requiring a user to set up a table <u>in advance</u> to store a password, providing a greater degree of security. The prior art fails to disclose or suggest the claimed features having such benefits.

For at least all the above reasons, claims 1-6, 8-10, 20, 21, 23-27, 29 and 30 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 7, 22 and 28 over Tadayuki in view of Schneider

Claims 7, 22 and 28 were rejected under 35 U.S.C. §103(a) in the Office Action issued March 31, 2005 as allegedly being obvious over Tadayuki in view of *Applied Cryptography Protocols, Algorithms, and Source Code in C* by Bruce Schneider ("Schneider"). The Applicants respectfully traverse the rejection.

Claims 7, 22 and 28 recite a system and method of facsimile that rely <u>far end password entered **after** communications between a near end fax and a far-end fax have begun.</u>

As discussed above, Tadayuki fails to disclose or suggest a system and method of facsimile that rely on a far end password entered **after** communications between a near end fax and a far-end fax have begun, as recited by claims 7, 22 and 28.

The Office Action relied on Schneider to allegedly make up for the deficiencies in Tadayuki to arrive at the claimed features. The Applicants respectfully disagree.

Schneider is relied on to disclose PGP encryption. However, Schneider fails to disclose or suggest any application to a facsimile, much less disclose or suggest a system and method of facsimile that rely on a facsimile transmission with a far end password entered **after** communications between a near end fax and a far-end fax have begun, as recited by claims 7, 22 and 28.
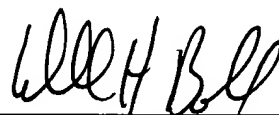
Thus, even if it were obvious to modify Tadayuki with Schneider (which it is not), the theoretically result would fail to disclose or suggest a system and method of facsimile that rely on a far end password entered **after** communications between a near end fax and a far-end fax have begun, as recited by claims 7, 22 and 28.

For at least all the above reasons, claims 7, 22 and 28 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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